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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/216,004	12/17/98	CHAU	W 81862.P106

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BLAKELY SOKOLOFF TAYLOR AND ZAFMAN
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES CA 90025

EXAMINER

BOAKYE, A

ART UNIT

PAPER NUMBER

2663

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DATE MAILED:

11/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/216,004

Applicant(s)

Chau et al.

Examiner

Alexander Boakye

Group Art Unit

2663



☒ Responsive to communication(s) filed on Dec 17, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-34 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-6, 12-16, and 22-24 is/are rejected.

☒ Claim(s) 7-11, 17-21, and 25-34 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 4, 6, 12, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsu (US Patent 6,104,721).

Regarding claims 1, 4, 6, 12, 15 and 16, Hsu teaches a system, comprising a digital signal processing(DSP) resource manager(column 6, lines 63-65) configured to ensure DSP availability for each of a number of channels as individual ones of the channels are activated or deactivated using figure 2.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 2, 3, 5 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu(US Patent 6,104,721) in view of Turudic et al(US patent 5,452,306).

Regarding claim 2, 13, Hsu teaches a system wherein various numbers of the channels are in a carrier system as shown in figure 2. Hsu fails to disclose a system wherein various numbers of the channels are grouped together in a carrier system. However, a system wherein various numbers of the channels are grouped together are well known in the art. For example, Turudic teaches a system wherein various numbers of the channels are grouped in a carrier system(column 11, lines 10-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Turudic's method into Hsu's method with the motivation being to provide bandwidth according to request.

Regarding claim 3 and 14, the combination of Hsu and Turudic discloses a system wherein the carrier system is comprises of T1 lines(column 5, lines 30-33 of Hsu).

Regarding claim 5, Hsu teaches a system wherein the channels comprise voice channels(column 5, lines 43-44).

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu(US Patent 6,104,721) in view of Notenboom et al(US Patent 5,748,468).

Regarding claims 22, 23 and 24, Hsu teaches a system comprising a plurality of digital signal processing(DSP) as shown in figure 2. Furthermore, Hsu discloses a DSP resource manager(column 6, lines 63-65) configured to allocate the DSP resources. Hsu fails to disclose DSP resource groups. Notenboom teaches DSP resource groups(see figure 6B). Therefore, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Notenboom's method into Hsu's method with the motivation being to provide bandwidth according to group request.

Allowable Subject Matter

5. Claims 7-8, 10-11, 17-21, 25-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (703) 308-9554. The examiner can normally be reached on M-F from 7:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached on (703)308-5340. The **informal fax number** (Draft or proposed Amendment) for this Group is (703) 308-6296 wherein the **formal fax number** for the group is (703) 308- 9051. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

AB
A.Boakye

11/1/2000



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600